

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

YISMARY DIAZ CUELLAR, *as Personal*
Representative of the Estate of Jorge Diaz Corrales,

Plaintiff,

v.

Civ. No. 21-986 DHU/GBW

ALEXIS SANTIAGO ABRAMS, *et al.,*

Defendants.

ORDER DENYING MOTION TO WITHDRAW

THIS MATTER comes before the Court on Carlos Rincon's, Oscar A. Lara's, and Yosef W. Abraham's Unopposed Motion to Withdraw as Attorneys of Record (the "Motion"). *Doc. 156.* Attorneys Carlos Rincon, Oscar A. Lara, and Yosef W. Abraham (Rincon Law Group, P.C.) request the Court's leave to withdraw their appearances as counsel of record for Defendant Easy Money Trucking, LLC ("Easy Money"), in this matter. *See id.*

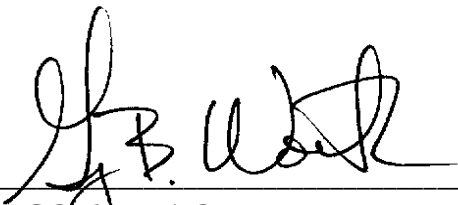
Local Rule 83.8(c) provides:

A motion to withdraw from representation of a corporation, partnership or business entity other than a natural person must include a notice that the corporation, partnership or business entity other than a natural person can appear only with an attorney. Absent entry of appearance by a new attorney, any filings made by the corporation, partnership or business entity other than a natural person may be stricken and default judgment or other sanctions imposed.

D.N.M.LR-Civ. 83.8(c).

On April 12, 2023, the Court held a Motion Hearing at which it ascertained that permitting Mr. Rincon, Mr. Lara, and Mr. Abraham to withdraw their appearances for Defendant Easy Money in this matter would cause Defendant Easy Money to be unrepresented for purposes of Hallmark County Mutual Insurance Company's ("Hallmark") Cross-Claim for Declaratory Relief Against Defendant Easy Money (*doc. 134*). *Doc. 160* at 2. The Motion does not include a notice to Defendant Easy Money that it must have counsel enter an appearance for purposes of defending Defendant Hallmark's cross-claim for declaratory relief in order to avoid sanctions, including potential entry of default judgment on that claim. *See* D.N.M.LR-Civ. 83.8(c). Having failed to comply with the Local Rules 83.8(c), the Motion is **DENIED** without prejudice.

IT IS SO ORDERED.



GREGORY B. WORMUTH
CHIEF UNITED STATES MAGISTRATE JUDGE